

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weers et al.	Group Art Unit: 1616
Serial No.: 10/644,265 Confirmation No.: 7484	Examiner: Alstrum Acevedo, James Henry
Filed: August 19, 2003	Attorney Docket No: NK.0056.11
For: STABILIZED PREPARATIONS FOR USE IN METERED DOSE INHALERS	June 20, 2008 San Francisco, California

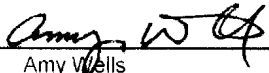
**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER PENDING "REFERENCE" APPLICATIONS**

Box Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231

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By:   
Amy Wells

Date: June 20, 2008

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant applications that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on any of said reference applications, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application later:

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- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

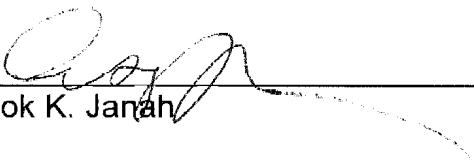
The undersigned is an attorney or agent of record, Reg. No. 37,487.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The fee of \$130.00 required by 37 C.F.R. § 1.20(d) is submitted herewith.

Respectfully Submitted,

Date: June 20, 2008

  
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Ashok K. Janah

Please direct all telephone calls to: Guy Tucker (415) 538-1555